

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

GIVAUDAN FRAGRANCES
CORPORATION

Plaintiff,

v.

JAMES KRIVDA, et al.

Defendants.

Civil Action No. 08-cv-04409 (PGS)

VERDICT SHEET

SECTION 1

Question 1: Do you find that Givaudan Fragrances Corporation ("Givaudan") has proven by a preponderance of the evidence that Defendant James Krivda ("Krivda") has breached the contract?

Answer: Yes _____ No ✓

Question 2: Do you find that Givaudan has proven by a preponderance of the evidence that Krivda has misappropriated none, some or all of Givaudan's trade secrets?

Answer: None ✓ Some _____ All _____

Question 3: Do you find that Givaudan has proven by a preponderance of the evidence that Mane USA ("Mane") has misappropriated none, some or all of Givaudan's trade secrets?

Answer: None ✓ Some _____ All _____

If you answered "none" or "all" to questions 2 and 3, skip question 4, and proceed to question 5.

Question 4: If you have answered either question 2 or question 3 with the answer “some”, indicate below by checking the line next to the name of the trade secret you have found was misappropriated by either defendant.

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#	GIVAUDAN	ACCUSED MANE FORMULA	
1	Warm Violet KVW083AKV	Warm Orris JAK00026A	
2	L'Instant de Guerlain A0X01104	Instantaneous JAK00022	
3	Burberry Original Women's INX02994A	Upscale Plaid JAK00024	
4	BBW Cherry Blossom INX02955A	Almond Blossom JAK00043	
5	Noix de Coco PNC601FPN	Tropical Paradise JAK00183	
6	Waffle PNX PNW762CKV	Warm Fig JAK00353	
7	D&G Light Blue pour Homme INX02875	Aquaman JAK 00001	
8	Bombs Away KVX00084Z	Bomberdier JAK 00105A	
9	Sean666 NNM005KNN	Imperial JAK 00010A and Imperial JAK00010	
10	Eurythmic KVX00279P	Rhythm JAK 00017	
11	Famous One OGX KVX00468H	Vegas Baby! JAK00205A	
12	Light White KVW017CCR	White Flowers JAK00405 And White Flowers JAK00405C	
13	Baldessarini Ambre IN1929 Mod.1 (INX02820A) and Tere D'Hermes Mod.1 (CYX00765A)	Hot Ambre JAK00002	
14	Downy April Fresh SOF.Liq – in 1931 Mod 12 02/05/07 INX02822L	Primavera JAK 10023	
15	Aramis Ice in 1653 Mod.2 INX02399B	Hot Ice JAK00025	
16	Chocolate Crème KVX00292	Chocolate Crème JAK00097	
17	Beautiful Sheer A3X00182C	Sheer Beauty JAK00042	

18	Daisy Marc Jacobs INX02895A	Fields of Dreams JAK 00054	
19	Clean Aura KVX00030JN	Frozen Aura JAK000285	
20	Dolce di Parma KVX00011U	Viola di Parma JAK00423	
21	Glamorous IN1321 INX01901	Ultraglam JAK00221	
22	Bond #9 Hamptons INX02941A	Nine Hampton Road JAK00385	
23	Nautica Voyage Mod1 SRX00118A	Now Voyager JAK00008	
24	Jinkoh-Agarwood-Ou d Trial 26/1/5-4 INX01494	Oudwood JAK00070	
25	Pleasures Delight Mod.1 GC Rebalance SZX00066A	Delightful JAK00106	
26	Romance Silver IN1625 Mod.2 INX02350B	Silver Heart JAK00049	
27	Aqua Allegoria Tutti Kiwi D7Z00006B	Fruity Kiwi JAK000138	
28	White Tea Sanctuary KVX00077F	White Tea & Ginseng JAK00011	
29	Clean Blanky KVX00103A	Cotton Cloud JAK00168	
30	Mania for Men INX02041A	Insanity JAK00014	
31	Amor Amor Cacharel P8X00172F	My Love JAK00068	
32	Vanilla Apricot CYX00596A	Vanilla Apricot JAK00094	
33	Sensi INX02130A	Sensational JAK00021A	
34	Angel CDX00050G	Saintly JAK00069B	

Question 5: Do you find that Givaudan has proven by a preponderance of the evidence that Krivda and Mane conspired to misappropriate trade secrets?

Answer: Yes _____ No ✓ _____

If you answered "no" or "none" to questions 1, 2, 3 and 5, stop here.

SECTION 2

Question 6: If you answered "yes" to question 1, that Krivda breached his contract with Givaudan, what amount of damages do you award?

Amount of Damages: \$ _____

Question 7: If you answered "some" or "all" to questions 2, 3, or 5 that either defendant misappropriated trade secrets and/or that defendants conspired to misappropriate trade secrets, how much compensatory damages do you award?

Amount of Damages: \$ _____

Question 8: With regard to Krivda, if you have awarded damages for breach of contract in question 6 and for misappropriation or conspiracy to misappropriate trade secrets in question 7, do the damages against Krivda overlap (are they duplicative)?

Answer: Yes _____ No _____

Question 9: If you answered "yes" to question 8, what is the amount of overlap, if any, against Krivda?

Amount of Overlap: \$ _____

SECTION 3

Question 10: Do you find that Givaudan has proven by clear and convincing evidence that Krivda and/or Mane willfully and/or maliciously misappropriated trade secrets and/or conspired to misappropriate trade secrets entitling Givaudan to punitive damages?

James Krivda: Yes _____ No _____

Mane Yes _____ No _____

When your work is complete, please sign this Verdict Sheet below and notify the marshal.

Foreperson